

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK**

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DENISE CASSESE f/k/a DENISE CALIGIURI,  
GEORGE SCOTT RUSH, RICHARD  
MELICHAR and RICHARD SCHROER,  
individually and on behalf of all others similarly  
situated,

**ORDER**  
05-cv-2724 (ADS)(ARL)

Plaintiffs,

-against-

WASHINGTON MUTUAL, INC.,  
WASHINGTON MUTUAL BANK, FA,  
WASHINGTON MUTUAL BANK, FSB,  
WASHINGTON MUTUAL BANK, and  
WASHINGTON MUTUAL HOME LOANS,  
INC.,

Defendants.

-----X  
**APPEARANCES:**

**WHALEN & TUSA, P.C.**

*Attorneys for the plaintiffs*  
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New York, NY 10011

By: Joseph S. Tusa, Esq.  
Paul C. Whalen, Esq., of Counsel

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By: Peter D. St. Philip, Jr., Esq., of Counsel

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*Attorneys for the defendant Washington Mutual Inc.*  
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By: Brian S. Rosen, Esq., of Counsel

**STROOCK, & STROOCK & LAVAN**

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By: Burton Lipshie, Esq.,  
Claude Gabriel Szyfer, Esq.,  
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Heidi Balk, Esq.,  
James Lawrence Bernard, Esq., of Counsel

**BAKER BOTTS, LLP**

*Attorneys for the defendant Federal Deposit Insurance Corporation*

The Warner

1299 Pennsylvania Avenue, NW

Washington, D.C. 20004

By: David A. Super, Esq.,  
Ryan Bull, Esq.,  
Elysa M. Dishman, Esq.,  
Samuel J. Waldon, Esq., of Counsel

**SPATT, District Judge.**

As reflected in the Court's previous orders in this case, certain of the defendants have been consolidated and placed under the receivership of the Federal Deposit Insurance Corporation. To reflect this change, the Court respectfully directs the Clerk of the Court to amend the caption for this case to read as follows:

**[REMAINDER OF PAGE INTENTIONALLY BLANK]**

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EASTERN DISTRICT OF NEW YORK**

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DENISE CASSESE f/k/a DENISE CALIGIURI,  
GEORGE SCOTT RUSH, RICHARD  
MELICHAR and RICHARD SCHROER,  
individually and on behalf of all others similarly  
situated,

Plaintiffs,

-against-

WASHINGTON MUTUAL, INC.;

THE FEDERAL DEPOSIT INSURANCE  
COMPANY, in its capacity as receiver for  
WASHINGTON MUTUAL BANK, such entity  
having incorporated former defendants  
WASHINGTON MUTUAL BANK, FA and  
WASHINGTON MUTUAL HOME LOANS,  
INC.; and

WASHINGTON MUTUAL BANK, FSB,

Defendants.

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In addition, related changes in counsel have led to inconsistencies in the docket regarding the counsel of record for each of the parties. Accordingly, the parties are directed to each submit to the Court within five days a letter setting forth their attorneys of record.

**SO ORDERED.**

Dated: Central Islip, New York  
April 20, 2010

/s/ Arthur D. Spatt  
ARTHUR D. SPATT  
United States District Judge